

**Sutherland
■ Asbill & ■
Brennan LLP**

ATTORNEYS AT LAW

999 Peachtree St., N.E.
Atlanta, GA 30309-3996
tel 404.853.8000
fax 404.853.8806
www.sablaw.com

Facsimile**CONFIDENTIAL****Date:** May 3, 2007**Pages (including cover):** 10**TO:****Recipient Name**

Kirsten S. Apple

Firm/CompanyU.S. Patent and
Trademark Office**Fax**

571-273-5588

Telephone

571-272-5588

FROM: JASON V. CHANG**Email address:** jason.chang@sablaw.com**Telephone:** 404-853-8685**User number:** 3796 **Client number:** 23952-0151**Message:**

Thank you for the telephonic interview today. Attached is another set of proposed amended claims in accordance with the interview.

This message is intended only for the use of the individuals or entity to which it is addressed and may contain information that is privileged, confidential and exempt from disclosure under applicable law. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination or distribution of this communication to other than the intended recipient is strictly prohibited. If you have received this communication in error, please notify us immediately by collect telephone at 404.853.8813 and return the original message to us at the above address via the U.S. Postal Service. Thank you.

Atlanta ■ Austin ■ Houston ■ New York ■ Tallahassee ■ Washington, DC

AO 1681632.1

Applicant: Biondi et al.
Filed: June 29, 2001
Application No.: 09/893,596

Amendments to the Claims:

Listing of Claims:

Claim 1 (Currently Amended) A method comprising:

receiving at least one tax selection criterion associated with tax implications;

generating a first trading proposal, based on the at least one selection criterion, for tax lots of a single security across a plurality of investor accounts that satisfy the at least one tax selection criterion, wherein a tax lot comprises a holding of a single security purchased at a single price on a particular date;

storing a failure report comprising any tax lots of the single security across the plurality of investor accounts that do not satisfy the at least one tax selection criterion, wherein the tax lots included in the failure report are prevented from being traded; and

moving a tax lot from the failure report to one of (i) the first trading proposal and (ii) a second trading proposal generated subsequent to the first trading proposal, wherein the moved tax lot is enabled to be traded.

Claim 2 (Currently Amended) The method of claim 1, wherein the selection criterion includes (i) identification of the single security, and at least one of (ii) (i) identification of at least one criterion corresponding to the tax lots, and (iii) (ii) identification of at least one criterion corresponding to the plurality of accounts.

Claim 3 (Currently Amended) The method of claim 2, wherein the identified at least one tax lot criterion includes at least one of tax filter rules and gain/loss rules.

Claim 4 (Original) The method of claim 3, wherein the tax filter rules include at least one of a short term rollover criterion and a wash sale criterion.

Claim 5 (Original) The method of claim 3, wherein the gain/loss rules include selection criteria

Applicant: Biondi et al.
Filed: June 29, 2001
Application No.: 09/893,596

based on at least one of cost, gain, loss and tax liability.

Claim 6 (Previously Presented) The method of claim 2, wherein the at least one account criterion includes one of selecting as the plurality of accounts all accounts for which account profiles are maintained and selecting the plurality of accounts from the accounts for which account profiles are maintained based on selected account profile information.

Claim 7 (Previously Presented) The method of claim 1, further comprising:
receiving security price information for the single security;
receiving tax rate information for each of the plurality of accounts; and
receiving tax lot information for each of the plurality of accounts;
wherein the generating of the trading proposal includes computing gain/loss and tax liability information for each of the tax lots, applying the at least one selection criterion to the computed gain/loss and tax liability information, and identifying the computed gain/loss and tax liability information for tax lots that satisfy the at least one selection criterion.

Claim 8 (Previously Presented) The method of claim 7, further comprising:
outputting at least one of the trading proposal and the failure report, wherein the failure report includes the computed gain/loss and tax liability information for tax lots that do not satisfy the at least one selection criterion.

Claim 9 (Previously Presented) The method of claim 8, further comprising:
generating reminders to review tax lots identified in the failure report; and
automatically transmitting the reminders on one or more future dates when the cause of the failure to satisfy the at least one selection criterion is no longer applicable.

Claim 10 (Previously Presented) The method of claim 9, wherein the reminders are generated with respect to failed tax lots that are user selected.

Applicant: Biondi et al.
Filed: June 29, 2001
Application No.: 09/893,596

Claim 11 (Canceled)

Claim 12 (Original) The method of claim 8, wherein at least one of the format and content of the failure report are user selectable.

Claim 13 (Original) The method of claim 7, wherein at least one of the format and content of the trading proposal are user selectable.

Claim 14 (Currently Amended) An article of manufacture comprising:

a computer readable medium; and

computer programming stored on the computer readable medium, wherein the stored computer programming is configured to be readable from the computer readable medium by a computer to thereby cause the computer to operate so as to:

receive, via an input device, at least one tax selection criterion associated with tax implications;

generate a first trading proposal, based on the at least one selection criterion, for tax lots of a single security across a plurality of investor accounts that satisfy the at least one tax selection criterion, wherein a tax lot comprises a holding of a single security purchased at a single price on a particular date;

store a failure report comprising any tax lots of the single security across the plurality of investor accounts that do not satisfy the at least one tax selection criterion, wherein the tax lots included in the failure report are prevented from being traded; and

move a tax lot from the failure report to one of (i) the first trading proposal and (ii) a second trading proposal generated subsequent to the first trading proposal, wherein the moved tax lot is enabled to be traded-enable the tax lot to be traded.

Claim 15 (Currently Amended) The article of manufacture of claim 14, wherein the at least one

Applicant: Biondi et al.
Filed: June 29, 2001
Application No.: 09/893,596

selection criterion includes (i) identification of the single security, and at least one of (ii) (i) identification of at least one criterion corresponding to the tax lots, and (iii) (ii) identification of at least one criterion corresponding to the plurality of accounts.

Claim 16 (Currently Amended) The article of manufacture of claim 15, wherein the identified at least one ~~tax lot~~ criterion includes at least one of tax filter rules and gain/loss rules.

Claim 17 (Original) The article of manufacture of claim 16, wherein the tax filter rules include at least one of a short term rollover criterion and a wash sale criterion.

Claim 18 (Original) The article of manufacture of claim 16, wherein the gain/loss rules include selection criteria based on at least one of cost, gain, loss and tax liability.

Claim 19 (Previously Presented) The article of manufacture of claim 15, wherein the at least one account criterion includes one of selecting as the plurality of accounts all accounts for which account profiles are maintained, and selecting the plurality of accounts from the accounts for which account profiles are maintained, based on selected account profile information.

Claim 20 (Previously Presented) The article of manufacture of claim 14, wherein, in order to generate the trading proposal, the computer readable medium is further readable to cause the computer to:

receive security price information for the single security;
receive tax rate information for each of the plurality of investor accounts; and
receive tax lot information for each of the plurality of investor accounts;
wherein the generation of the trading proposal includes computing gain/loss and tax liability information for each of the tax lots, applying the at least one selection criterion to the computed gain/loss and tax liability information, and identifying the computed gain/loss and tax liability information for tax lots that satisfy the at least one selection criterion.

Applicant: Biondi et al.
Filed: June 29, 2001
Application No.: 09/893,596

Claim 21 (Previously Presented) The article of manufacture of claim 20, wherein the computer readable medium is further readable to cause the computer to:

output at least one of the trading proposal and the failure report, wherein the failure report includes the computed gain/loss and tax liability information for tax lots that do not satisfy the at least one selection criterion.

Claim 22 (Previously Presented) The article of manufacture of claim 21, wherein the computer readable medium is further readable to cause the computer to:

generate reminders to review tax lots identified in the failure report; and

automatically transmit the reminders on one or more future dates when the cause of the failure to satisfy the at least one selection criterion is no longer applicable.

Claim 23 (Previously Presented) The article of manufacture of claim 22, wherein the reminders are generated with respect to failed tax lots that are user selected.

Claim 24 (Canceled)

Claim 25 (Original) The article of manufacture of claim 21, wherein at least one of the content and format of the failure report are user selectable.

Claim 26 (Original) The article of manufacture of claim 20, wherein at least one of the content and format of the trading proposal are user selectable.

Claim 27 (Currently Amended) A system comprising:

a memory configured to store tax lot information for securities held in multiple investor accounts; and

Applicant: Biondi et al.
Filed: June 29, 2001
Application No.: 09/893,596

a processor configured to receive at least one tax selection criterion associated with tax implications from an input device, to generate a first securities trading proposal, based on the ~~at least one selection criterion and the stored tax lot information~~, for tax lots of a single security across a plurality of the multiple investor accounts that satisfy the at least one tax selection criterion, wherein a tax lot comprises a holding of a single security purchased at a single price on a particular date, to store in the memory a failure report comprising any tax lots of the single security across the plurality of investor accounts that do not satisfy the at least one tax selection criterion, wherein the tax lots included in the failure report are prevented from being traded, and to move a tax lot from the failure report to one of (i) the first trading proposal and (ii) a second trading proposal generated subsequent to the first trading proposal, wherein the moved tax lot is enabled to be traded enable the tax lot to be traded.

Claim 28 (Currently Amended) The system of claim 27, wherein the received at least one selection criterion includes (i) identification of the single security, and at least one of (ii) (i) identification of at least one criterion corresponding to the tax lots, and (iii) (ii) identification of at least one criterion corresponding to the plurality of accounts.

Claim 29 (Currently Amended) The system of claim 28, wherein the identified at least one ~~tax lot~~ criterion includes at least one of tax filter rules and gain/loss rules.

Claim 30 (Original) The system of claim 29, wherein the tax filter rules include at least one of a short term rollover criterion and a wash sale criterion.

Claim 31 (Original) The system of claim 29, wherein the gain loss rules include selection criteria based on at least one of cost, gain, loss and tax liability.

Claim 32 (Previously Presented) The system of claim 28, wherein the identified at least one account criterion includes one of selecting as the plurality of accounts all accounts for which

Applicant: Biondi et al.
Filed: June 29, 2001
Application No.: 09/893,596

account profiles are maintained, and selecting the plurality of accounts from the accounts for which account profiles are maintained, based on selected account profile information.

Claim 33 (Previously Presented) The system of claim 27, wherein the processor is further configured to:

receive security price information for the single security;
receive tax rate information for each of the plurality of accounts; and
retrieve the stored tax lot information for each of the plurality of accounts;
wherein the generation of the trading proposal includes computing gain/loss and tax liability information for each of the tax lots, applying the at least one selection criterion to the computed gain/loss and tax liability information, and identifying the computed gain/loss and tax liability information for tax lots that satisfy the at least one selection criterion.

Claim 34 (Previously Presented) The system of claim 33, wherein the processor is further configured to output to an output device at least one of the trading proposal and the failure report, wherein the failure report includes the computed gain/loss and tax liability information for tax lots that do not satisfy the at least one selection criterion.

Claim 35 (Previously Presented) The system of claim 34, wherein the processor is further configured to:

generate reminders to review tax lots identified in the failure report; and
automatically transmit the reminders on one or more future dates when the cause of the failure to satisfy the at least one selection criterion is no longer applicable.

Claim 36 (Previously Presented) The system of claim 35, wherein the reminders are generated with respect to failed tax lots that are user selected.

Claim 37 (Canceled)

Applicant: Biondi et al.
Filed: June 29, 2001
Application No.: 09/893,596

Claim 38 (Original) The system of claim 34, wherein at least one of the content and format of the failure report are user selectable.

Claim 39 (Original) The system of claim 33, wherein at least one of the content and format of the trading proposal are user selectable.

Claim 40 (Currently Amended) A method comprising:

receiving at least one tax selection criterion associated with tax implications, including identification of a single security;

receiving security price information for the single security;

receiving tax rate information for each of a plurality of accounts;

receiving tax lot information for tax lots of the single security in each of the plurality of accounts;

generating a first securities trading proposal, based upon the at least one selection criterion, the security price information, the tax rate information, and the tax lot information, for the tax lots of the single security across the plurality of accounts that satisfy the at least one selection criterion, the security price information, the tax rate information, and the tax lot information, wherein a tax lot comprises a holding of a single security purchased at a single price on a particular date;

storing a failure report comprising any tax lots of the single security across the plurality of investor accounts that do not satisfy the at least one tax selection criterion, wherein the tax lots included in the failure report are prevented from being traded; and

moving a tax lot from the failure report to one of (i) the first trading proposal and (ii) a second trading proposal generated subsequent to the first trading proposal, wherein the moved tax lot is enabled to be traded enable the tax lot to be traded.

Claim 41 (Canceled)

Applicant: Biondi et al.
Filed: June 29, 2001
Application No.: 09/893,596

Claim 42 (Currently Amended) The method of Claim 1 44, further comprising prior to moving the tax lot from the failure report to the second trading proposal, transmitting a reminder when a cause of the failure of the at least one selection criterion is no longer relevant.

Claim 43 (Canceled)

Claim 44 (Previously Presented) The article of manufacture of Claim 14, wherein prior to moving the tax lot from the failure report to the second trading proposal, the computer readable medium is further readable to cause the computer to transmit a reminder when a cause of the failure of the at least one selection criterion is no longer relevant.

Claim 45 (Canceled)

Claim 46 (Currently Amended) The system of Claim 45 27, wherein the processor is further configured to, prior to moving the tax lot from the failure report to the second trading proposal, transmit a reminder when a cause of the failure of the at least one selection criterion is no longer relevant.

Claim 47 (Canceled)

Claim 48 (Currently Amended) The method of Claim 40 47, further comprising prior to moving the tax lot from the failure report to the second trading proposal, transmitting a reminder when a cause of the failure of the at least one selection criterion is no longer relevant.